

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

JOHN CHRISMAN

vs.

**CASE NUMBER: 6:09-CV-369
(NAM/GHL)**

**MICHAEL J. ASTRUE,
Commissioner of Social Security**

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the August 20, 2010 Report and Recommendation of Magistrate Judge George H. Lowe is adopted its entirety. The Commissioner's determination of no disability is VACATED and the matter is REMANDED to the Commissioner for further consideration.

All of the above pursuant to the Order of the Honorable Judge Norman A. Mordue, dated the 14th day of September, 2010.

DATED: September 14, 2010


Clerk of Court

s/

Melissa Ennis
Deputy Clerk